

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

WATERMARK SOLID SURFACE, INC., )

Plaintiff, )

v. )

STA-CARE, INC. )

Defendant. )

Case No. 3:07-0993  
Judge Echols

ORDER

Pending before the Court is Defendant's "Motion to Strike Application for Mandatory Injunction and Restraining Order" (Docket Entry No. 34). That Motion seeks to strike Plaintiff's two-paragraph "Second Application for Mandatory Injunction and First Application for Restraining Order" (Docket Entry No. 33) which purports to incorporate earlier filings as a basis for the requested injunctive relief.

The Motion to Strike (Docket Entry No. 34) is hereby DENIED since such motions should only be granted "in extraordinary circumstances" and where "the document is redundant, immaterial, impertinent, or scandalous and this document has caused some prejudice to the opposing party." Reyes v. Seaton Enter., LLC, 2008 WL 400452 at \*6 (E.D. Tenn. 2008). However, the Court hereby DENIES Plaintiff's "Second Application for Mandatory Injunction and First Application for Restraining Order" (Docket Entry No. 33) because the Application fails to set forth the basis for Fed. R. Civ. P. 65(d) relief. The Court has already entered an Order Granting Mandatory Injunction (Docket Entry No. 26) and Plaintiff makes absolutely no effort to show what circumstances, if any, warrant further mandatory injunctive relief.

It is so ORDERED.

  
ROBERT L. ECHOLS  
UNITED STATES DISTRICT JUDGE